

The 16th April, 1976

No. 21614Lab.-76/10413.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Shri Dharmendra Nath, Deputy Labour Commissioner, Haryana (sole Arbitrator) in respect of the dispute between the workmen and the management of M/s. Bhangar Industries, Sector 6, Faridabad.

**BEFORE SHRI DHARMENDRA NATH, DEPUTY  
LABOUR COMMISSIONER, HARYANA,  
CHANDIGARH (SOLE ARBITRA-  
TOR) IN THE MATTER OF AN  
INDUSTRIAL DISPUTE**

**between**

**THE MANAGEMENT OF M/S BHANGAR  
INDUSTRIES, SECTOR 6, FARIDABAD  
AND THEIR WORKMEN**

**Appearance:-**

Shri Amar Singh Sharma, for the workmen.

Shri W. C. Sharma, for the management.

### **AWARD**

An industrial dispute having come into existence between the management of M/s. Bhangar Industries, Sector-6, Faridabad and their workmen Sarvshri Tirlok Chand and Surender Nath the parties agreed to refer the same to my arbitration and the Government then published the arbitration agreement,—vide their notification No. ID/FD/75/15400, dated 15th July, 1975. The specific matter in dispute which is mentioned in the said agreement runs as under:—

“Whether the termination of services of Sarvshri Tirlok Chand and Surender Nath Ojha is justified and in order? If not, to what relief they are entitled?”

I held several proceedings for the disposal of this reference but in the meanwhile the parties have jointly compromised the dispute out of the Court and have also entered into a settlement dated 13th January, 1976, which is appended below. The parties have agreed in the said settlement that Shri Surender Nath Ojha will be paid all his earned wages and wages in lieu of un-availed leave with wages admissible under the Factories Act, 1948 alongwith Rs. 525 exgratia, in full satisfaction of the demand for his reinstatement. In consideration of this payment Shri Surender Nath Ojha agrees that he has no other claim whatever against the management

including his right of re-employment as admissible under section 25(H) of the Industrial Disputes Act, 1947. Similarly Shri Tirlok Chand will be paid all his earned wages and wages in lieu of un-availed leave with wages admissible under the Factories Act, 1948 along with Rs. 700 exgratia, in full satisfaction of the demand for his reinstatement. In consideration of this payment Shri Tirlok Chand agrees that he has no other claim whatever against the management including his right of re-employment as admissible under section 25(H) of the Industrial Disputes Act, 1947.

In my opinion, the aforesaid settlement is fair and reasonable. Accepting the same, I award that the respondent management should pay to Shri Surender Nath Ojha all his earned wages and wages in lieu of un-availed leave with wages admissible under the Factories Act, 1948 alongwith Rs. 525 exgratia in full satisfaction of the demand for his reinstatement. In the same manner, Shri Tirlok Chand should be paid all his earned wages and wages in lieu of un-availed leave with wages admissible under the said Act alongwith Rs. 700 exgratia, in full satisfaction of the demand for his reinstatement. It is further ordered that the workmen Sarvshri Surender Nath Ojha and Tirlok Chand shall have the right of re-employment admissible under section 25(H) of the Industrial Disputes Act, 1947. The award is made accordingly. There is no order as to cost.

**DHARMENDRA NATH,**  
Deputy Labour Commissioner.  
Haryana, Chandigarh.

No. 8160, dated the 25th February, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 10-A(3) of the Industrial Disputes Act, 1947.

**DHARMENDRA NATH,**  
Deputy Labour Commissioner.  
Haryana, Chandigarh.

### **MEMORANDUM OF SETTLEMENT UNDER SECTION 18(1) OF THE INDUSTRIAL DIS- PUTES ACT, 1947.**

**Name of the parties:—**

M/s. Bhangar Industries, Sector 6, Faridabad  
and their workmen.

**Representing Employer:—**

Shri Sushil Bhangar. Partner.

**Representing Workmen:—**

Sarvshri Surender Nath Ojha and Tirlok Chand, concerned workmen, along with Shri Amar Singh Sharma, authorised Representative.

**Short recital of the case**

Whereas S/Sh. Surinder Nath Ojha and Tirlok Chand raised two separate industrial Disputes against the management of M/s. Bhangar Industries, Faridabad demanding their reinstatement in service.

Whereas during the course of conciliation proceeding the said two disputes were referred to the arbitration of Shri Dharmendra Nath, then Conciliation Officer, Ballabgarh.

Whereas during the pendency of arbitration proceedings the parties have compromised the dispute out of the court.

Therefore, the following settlement is hereby evolved.

**Terms of Settlement**

It is settled that Shri Surinder Nath Ojha will be paid all his earned wages and wages in lieu of un-availed leave with wages admissible under the Factories Act, 1948 alongwith Rs. 525/- *exgratia* in full satisfaction of the demand for his reinstatement. In consideration of this payment Shri Surinder Nath Ojha agrees that he has no other claim whatever against the management including his right of re-employment as admissible

under section 25(H) of the Industrial Disputes Act, 1947. Similarly Shri Tirlok Chand will be paid all his earned wages in lieu of un-availed leave with wages admissible under the Factories Act, 1947 alongwith Rs. 700 *exgratia*, in full satisfaction of the demand for his reinstatement. In consideration of this payment Shri Tirlok Chand agrees that he has no other claim whatever against the management including his right of re-employment as admissible under Section 25(H) of the Industrial Disputes Act, 1947.

Parties further agree that a copy of this settlement will jointly be submitted before the Arbitrator with the request that an award may be given accordingly.

**Signatures of the parties****Representing Employer.**

(Sd.) . . . .

**Representing workman.**

1. . . . .

2. . . . .

3. . . . .

**Witnesses**

1. . . . .

2. . . . .

The 19th April, 1976

No. 3787-4Lab-76/10535.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Parkash Agro Industry, Faridabad :—

**BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK**

**Reference No. 202 of 1971**

*between*

**SHRI JAGAT RAM WORKMAN AND THE MANAGEMENT OF M/S PARKASH  
AGRO INDUSTRY, FARIDABAD**

**AWARD**

By order No. ID/FD/605-B-71/31768, dated 27th October, 1972, the Governor of Haryana, referred the following dispute between the management of M/s Parkash Agro Industry, Faridabad, and its workman Shri Jagat Ram to this Labour Court, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Jagat Ram was justified and in order ? If not, to what relief is he entitled ?

The parties put in their appearance in this Court in response to the usual notices of reference sent to them and filed their pleadings.

Whereas the workman alleged,—*vide* claim statement filed by him that his services had been illegally terminated by the management with effect from 14th June, 1971 in order to victimise him for his trade union activities and that he was entitled to be reinstated with continuity of services and full back wages, the management pleaded that the former having been employed on 7th December, 1970 as a casual workman, met with an accident on 14th December, 1970 on account of his own fault and that he was admitted to the Hospital and did not report for duty for long period. The management specifically stated that the workman had been rendered totally unfit for any job on account of the accident he met with on 14th December, 1970.

An issue in terms of the dispute as referred to this Court was framed,—*vide* order dated 25th April, 1972.

Shri Nav Jiwan, Manager, appeared as M.W. 1 and the workman made his own statement as W.W. 1 besides examining one Shri Nanak Chand a Co-workman. The workman admitted that he met with an accident on 14th December, 1970 and that this rendered him unfit for any work without any helper. He admitted that one of his hands had to be amputated and that he could not as such work with one hand only. He admitted having received treatment in the E.S.I. Dispensary.

It would thus appear that on his own showing the workman became unfit to resume the job of a Press Operator held by him, as a result of the accident he met with on 14th December, 1970. No provision of law could be referred to me by Shri Darshan Singh, his authorised representative in respect of his entitlement of reinstatement under the circumstances. The contention of Shri Darshan Singh that the management was liable to provide him some alternative job without reference to any provisions of law has no merit.

I thus hold that the refusal of the management to take the workman on duty after the accident was fully justified and the later is not entitled to any relief. I decide the issue accordingly and answer the reference while returning the award in terms of the findings made by me.

Dated 2nd April, 1976.

MOHAN LAL JAIN,

Presiding Officer,  
Labour Court, Haryana, Rohtak.

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No. 832, dated the 2nd April, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

The 19th/20th April, 1976

No. 3485-4Lab-76/10537.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workman and the management of M/s. Krishan Lal-Tilk Raj, Metal Industries, Patri Mohalla, Jagadhri.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA,  
ROHTAK

Reference No. 95 of 1974

between

SHRI MADHIE RAM, WORKMAN AND THE MANAGEMENT OF M/S. KRISHAN LAL,  
TILK RAJ, METAL INDUSTRIES, PATRI MOHALLA, JAGADHRI

AWARD

By order No. ID/AMB/356-A-74/39787—91, dated the 12th December, 1974, the Governor of Haryana, referred the following dispute between the management of M/s. Krishan Lal-Tilk Raj

**Metal Industries, Patri Mohalla, Jagadhri and its workman Shri Madhie Ram to this Labour Court, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—**

Whether the termination of services of Shri Madhie Ram was justified and in order ? If not, to what relief is he entitled ?

The parties put in their appearance in this Court in response to the usual notices of reference sent to them.

Shri Surinder Kumar, authorised representative for the workman made a statement on 25th March, 1976 before me that the demand raised by the workman on the management had since been satisfied and the same be treated as with drawn.

It would thus appear that there is now no dispute between the parties regarding adjudication. I hold accordingly and answer the reference while returning the award in terms of the findings made by me.

Dated the 1st April, 1976.

MOHAN LAL JAIN,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 830, dated the 2nd April, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,  
Labour Court, Haryana,  
Rahtak.

No. 3486-4Lab-76/10539.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Giri Printers, Ambala City.

**BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK**

**Reference No. 10 of 1975**

*between*

**SHRI OM PARKASH, WORKMAN AND THE MANAGEMENT OF M/S. GIRI PRINTERS,  
AMBALA CITY**

**AWARD**

This award shall dispose of reference Nos. 10, 11, 12 and 13, all of 1975, consolidated together,—*vide* my order, dated 14th January, 1976 on the ground that the common questions of facts and law were involved therein.

The Governor of Haryana referred the following dispute in each reference for adjudication by this court, in exercise of the powers conferred on him by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Om Parkash/Bachna Ram/Shiv Nath/Man Singh was justified and in order? If not, to what relief is he entitled?

The parties put in their appearance in this court in response to the usual notices of reference sent to them in each case and filed their pleadings giving rise to the following issues framed by me,—*vide* order dated 11th September, 1975:—

- (1) Whether the order of termination of services of the workman was justified ? If not, to what relief is he entitled ?
- (2) Whether the workman had been gainfully employed after the termination of his services? If yes, to what effect ?

The case was fixed for recording the evidence of the management on 14th January, 1976 when it was adjourned to 24th March, 1976 on a request made by the later for that purpose conditional on their paying Rs 50 as cost to the workmen in all cases.

None of the workmen appeared on 24th March, 1976 and the management produced statements Exhibit M. 1 to M. 4 on that date of Sarvshri Om Parkash, Bachna Ram, Shiv Nath and Man Singh, workmen, respectively.

Shri S. L. Bhatia made a statement on oath before me, that Om Parkash, workman signed the statement Exhibit M. 1 and received Rs 750 in cash; Bachna Ram, workman signed the statement Exhibit M. 2 and received a sum of Rs 550 Shiv Nath, workman signed the statement Exhibit M. 3 and received a sum of Rs 740 and Man Singh, workman signed the statement Exhibit M. 4 and received a sum of Rs 625, from him in full and final settlement of all his claims arising out of the reference.

I see no reason to disbelieve the statement of Shri S. L. Bhatia, Manager of M/s. Giri Printers, Ambala City, particularly when none of the workmen has cared to come and pursue his demand. The absence of the workman on 24th March, 1976, on the other hand, well corroborated the statement of Shri S. L. Bhatia that his demand had been satisfied.

I, accordingly rely on the statement of Shri S. L. Bhatia and hold that the demand of each one of the workman has since been satisfied and there is now no dispute between the parties referring adjudication. I, therefore, answer each reference while returning the award in terms of the findings made by me.

MOHAN LAL JAIN,

Dated 1st April, 1976.

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 831, dated 2nd April, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

P. P. CAPRIHAN, Commissioner and Secy.

#### REVENUE DEPARTMENT

The 16th April, 1976

No. 1620-E(III)-76/11605.—In exercise of the powers conferred by section 27 of the Punjab Land Revenue Act, 1887, the Governor of Haryana hereby confer on Shri Panna Lal, C.S.S. (under training as Revenue Office with Haryana Government), all the powers of an Assistant Collector of the second grade under the said Act and further directs that he shall exercise those powers within the limits of the Hissar Sub-Division of the Hissar District for a period of three months.

S. D. BHAMBRI,  
Financial Commissioner, Revenue, Haryana.

राजस्व विभाग

गुडगाँव

दिनांक, 15 अप्रैल, 1976

क्रमांक 300-ज-II-76/11315.—श्री पूर्ण सिंह, पुत्र श्री अर्जुन सिंह, गांव गोरियावास, तहसील व जिला गुडगाँव की दिनांक 27 अक्तूबर, 1974 को हुई मृत्यु के परिणामस्वरूप हरियाणा के राज्यपाल, पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) की धारा 4 एवं 2(ए) (1ए) के अधीन प्रदान की गई शक्तियों को प्रयोग करते हुए सहर्ष आदेश देते हैं, कि श्री पूर्ण सिंह को मल्लिंग 150 रुपये वार्षिक की जागीर, जो उसे हरियाणा सरकार की अधिसूचना क्रमांक 835 आर(4)-66/958, दिनांक 4 अप्रैल, 1967 तथा अधिसूचना क्रमांक 5041-आर-III-70/29505, दिनांक 8 दिसम्बर, 1970 द्वारा मंजूर की गई थी, अब उसकी विधवा श्रीमती निमो देवी के नाम खरीफ, 1975 से 150 रुपये वार्षिक की दर से सनद में दी गई शर्तों के अर्न्तगत तबदील की जाती है।